



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
2/19/2020	<input checked="" type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	12/18/2019	2/19/2020
		Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Quasi-Judicial:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
N/A	N/A	N/A	PA-19-815 , PDO-19-816, RV-19-845, and DB-18-3486, Hallandale City Center	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leeroy, Director	Development Services	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Financial	<input type="checkbox"/> Organizational Capacity	<input checked="" type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Development, Redevelopment and Economic Development	
Implementation Timeline				
Estimated Start Date: 12/18/19 Estimated End Date: 2/19/2020				

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING THE PROPERTY LOCATED AT 605 NORTH DIXIE HIGHWAY FROM CENTRAL RAC/TRANSITIONAL SUBDISTRICT TO WEST RAC/FOSTER ROAD SUBDISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING).

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING THE PROPERTY LOCATED AT 608 NW 1st AVENUE FROM CENTRAL RAC/NEIGHBORHOOD TO WEST RAC/FOSTER ROAD SUBDISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING).

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF CITY OF HALLANDALE BEACH, FLORIDA, APPLYING THE PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE PROPERTIES LOCATED AT 110 FOSTER ROAD /501 NW 1ST AVENUE, 605 NORTH DIXIE HIGHWAY/ 608 NW 1ST AVENUE, AND 501 NORTH DIXIE HIGHWAY ; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA VACATING CERTAIN PORTIONS OF THE RIGHT-OF-WAY OF NW 6TH STREET GENERALLY BETWEEN NW 1ST AVENUE AND NORTH DIXIE HIGHWAY IN HALLANDALE BEACH, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE A TERMINATION AND RELEASE OF PUBLIC RIGHT-OF-WAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT BETWEEN HALLANDALE CITY CENTER, LLC, AND THE CITY OF HALLANDALE BEACH, FLORIDA FOR THE HALLANDALE CITY CENTER PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING MAJOR DEVELOPMENT APPLICATION #DB-19-3486 FOR THE PROJECT KNOWN AS HALLANDALE CITY CENTER LOCATED AT 110 FOSTER ROAD /501 NW 1ST AVENUE, 605 NORTH DIXIE HIGHWAY/ 608 NW 1ST AVENUE, AND 501 NORTH DIXIE HIGHWAY, WITH CONDITIONS AS RECOMMENDED BY THE CITY ADMINISTRATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Summary:

The applicant, Hallandale City Center, LLC, is requesting Major Development, Text Amendment/Rezoning and Road Vacation applications for approval of 3 buildings with a total of 26,530 square feet of retail and office space, and 89 residential apartment units. The project encompasses multiple sites: 110 Foster Road, 605 North Dixie Highway/ 608 NW 1st Avenue, and 501 North Dixie Highway.

Background:

The applicant proposes to construct a mixed use project consisting of 2 residential buildings and a mixed use building for a total of 89 multi-family residential units and 26,530 square feet of commercial floor area on 3 parcels of land. (*Please refer to Location Map below under Analysis*). The applications are as follows:

1. Application #PA-19-815, for a Rezoning/Text Code Amendment to change the zoning

designation of the property located at 605 North Dixie Highway from Central RAC/ Transitional Subdistrict to West RAC/Foster Road Subdistrict and the property located at 608 NW 1st Avenue from Central RAC/Neighborhood to West RAC/ Foster Road Subdistrict.

2. Application #PDO-19-816 applying PDO (Planned Development Overlay) District to the 3 parcels of the project.
3. Application #RV-19-845 requesting a road vacation of NW 6th Street between North Dixie Highway and NW 1st Avenue.
4. Application #DB-18-3486 for Major Development Review approval of the Project as provided by Section 32-382 of the Zoning and Land Development Code.

The Developer's Community Meeting required for the Major Development application was held on August 29, 2019 for the developer to present their project to area residents.

On October 23, 2019 the Planning and Zoning Board/Local Planning Agency (PZB/LPA) heard the rezoning to West RAC and PDO Overlay, and the Major Development Plan applications for the Hallandale City Center Project. The right-of-way vacation application analysis was included for their information although Planning and Zoning Board action is not required for right-of-way vacations. They recommended approval of the applications by a vote of 5 to 0 with conditions recommended by staff and the following additional conditions or considerations:

1. Increase the number of bicycle storage spaces to 15 spaces on Lots A and B. Increase the spaces on Lot C to a total of 30 bike storage spaces.
2. Install necessary signage indicating the 55 parking spaces reserved for the public use on Lot C and public access at the entryway into the garage.
3. The 14 workforce housing units shall be dispersed throughout the project, three buildings, and each floor and shall have comparable fixtures and finishes as the market rate units.
4. The five guests parking spaces dedicated to Lot A on Lot C shall be assigned accordingly.
5. All balconies shall be 5 feet in depth.
6. Provide a 6 feet masonry wall along the north property lines of Lot A and Lot B.
7. Provide adequate clearance for the entryway into the project for loading and waste management services.
8. Provide a crosswalk between Lot A and Lot C where the public sidewalk meets.
9. Provide a community room for the use of residents of the project.
10. Minimize the number of bedrooms facing the corridor.

Please refer to the Planning and Zoning Board Cover Memo dated October 23, 2019 (Exhibit 9) and Draft Minutes of the Hearing (Exhibit 10). Since the Hearing, the applicant met with staff to discuss the Board's comments. The applicant has agreed to all of staff's and additional conditions of the Planning and Zoning Board with one exception: the proposal to extend the balconies from 3 feet to 5 feet in width. Instead, they have agreed to extend the balconies to 4 feet in width. According to the applicant, there is not sufficient room to accommodate balconies 5 feet in depth without further encroaching on setbacks. The plans have been revised to address the comments which now also include a 960 square-foot community room in Lot C for the use of the residents of the Project. Please refer to Exhibit 8 for the applicant's response regarding the Board's conditions. The additional conditions have been incorporated into the Staff Recommendations Section as additional conditions of approval. Staff's recommendation of the Project remains positive.

The Hallandale Beach Community Redevelopment Agency (CRA) and the applicant have entered into a Redevelopment Agreement providing for terms and conditions to develop the Project Site.

Amongst the terms, the Agreement requires the applicant to designate 14 residential units (15% of the units) to be workforce housing as defined by Broward County for a period of 15 years. It also requires the applicant to provide 55 City parking spaces in the parking garage for the exclusive use of the City.

On December 18, 2019, the City Commission approved First Reading of the above mentioned Ordinances and scheduled the Second Readings and the Resolution approving the Major Development Plan for February 19, 2020.

Current Situation:

Project Component Locations

For the purpose of this report, the locations of the project will be referred to as follows and depicted below:

- a) Lot A -110 Foster Road (a/k/a 505 NW 1st Avenue/501 NW 1st Avenue)
- b) Lot B - 605 North Dixie Hwy and 608 NW 1st Avenue
- c) Lot C - 501 North Dixie Hwy

“Project” refers to the combined Lots A, B, and C. Buildings on said Lots will be referred to as Buildings A, B and C respectively.



Development Details:

The applicant's site plan depicts the following:

Lot A

1. A 2-story apartment complex with 22 residential units on 0.97 acre parcel. The site will be reduced to 0.88 acre after required right-of-way dedications. The 22 units proposed

generate a density of 25 DU/Acre. (18 DU/Acre is allowed). A PDO waiver is required and requested.

2. All 22 units will have two-bedroom/two bath units. The units will have a minimum of 881 to 950 square feet (850 sq. ft. is required);
3. A surface parking lot with 45 parking spaces (50 parking spaces are required. The 5 required visitor parking spaces are provided on Lot C. A waiver is required to provide guest parking on a different parcel. A PDO waiver has been requested.
4. Two electric vehicle charging stations are provided in the parking lot.
5. Ten (10) on-street parking spaces are proposed along Foster Road.
6. Bike racks with a total of 20 bicycle spaces.
7. A tot-lot play area and dog park are proposed on this parcel.
8. Thirty-three (33%) of the parcel will be landscaped. (15% is required).

Lot B

1. A 2-story apartment complex with 22 residential units on 0.94 acre parcel. The site will be reduced to 0.89 acre after required right-of-way dedications. The 22 units proposed generate a density of 24.7 DU/Acre. (18 DU/Acre is allowed). A PDO waiver is required and requested.
2. All 22 units will have two-bedroom/two bath units. The units range from 881 to 950 square feet in floor area. (The minimum required is 850 square feet).
3. A surface parking lot with 49 parking spaces on site and 9 parking spaces on proposed to be vacated NW 6th Street. There are also 2 on-street parking spaces on NW 1st Avenue adjacent to this parcel. (50 parking spaces are required for this building.)
4. Two electric vehicle charging stations are provided in the parking lot.
5. Bike racks with 18 bicycle spaces.
6. Seventeen (17%) of the parcel will be landscaped. (15% is required).

Lot C

1. A 3-story mixed use building with 16,563 s.f. of retail space on the first floor and 17,280 s.f. of office space on the second and third floors. (Total of 26,530 square feet of commercial space) and 45 residential units.
2. The parcel is 1.89 acre in size. A 4 feet right-of way dedication is required along Dixie Hwy and 5 feet along NW 1st Avenue which would reduce the parcel to 1.72 acre. Right-of-way vacation of NW 6th Street between 1st Avenue and North Dixie Hwy is proposed. The site will increase to 1.96 acre after the required right-of way dedications and the requested right-of-way vacation of NW 6th Street. The 45 units proposed generate a density of 23.8 DU/Acre. (18 DU/Acre is allowed).
3. All 45 units will have two-bedroom/two bath units. The units have 950 square feet in floor area (850 sq ft. is the minimum required);
4. The building is setback 3'-1" from the corner (NW 1st avenue) and 4'-7" from North Dixie Hwy. (10 feet side yard setback are required). PDO waiver is requested.
5. A surface parking area with 15 spaces including the 5 visitor parking spaces required for Building A, and a 4-level parking garage with 247 parking spaces for a total of 262 parking spaces.
6. The parking required for the mixed uses on this parcel is 186 spaces. The 55 parking spaces required per the applicant's agreement with the CRA to be reserved for City use are also provided on this Lot.
7. Four (4) electric vehicle charging stations are proposed in the garage.
8. Bicycle racks with a total of 30 spaces.
9. A total of 19 on-street parking spaces are proposed adjacent to this parcel along the rights-of-way of Foster Road, NW 1st Avenue and NW 6th Street.

10. Six (6%) of the parcel will be landscaped. (15% is required) a PDO waiver is requested.

Other Site Details:

The applicant proposes to vacate NW 6th Street between NW 1st Avenue and North Dixie Highway. The street would be repaved and remain as two-way roadway with on-street parking. Vacation of the right-of-way requires City Commission approval.

Comprehensive Plan Considerations

The property is designated Regional Activity Center on the City's Future Land Use Map. The mixed use commercial/residential use proposed by the applicant is permitted under the land use category. Presently, there are 286 residential RAC Units in the Regional Activity Center. Approval of this project will reduce the available number of RAC Units to 197. The proposed development will assist in furthering multiple goals, objectives and policies of the City's Comprehensive Plan as discussed in Planning and Zoning Board Cover Memo on this item (Exhibit 9).

Applicable Codes and Ordinances

Rezoning Applications

1. The Project site is designated Regional Activity Center (RAC) on the City's and County's Future Land Use Maps.
2. The Project generates a density of 25 units per acre (DU/Acre) on Lots A, B and C. The lots have zoning designations as follows:

Lot A (110 Foster Road) is West RAC/Foster Road Subdistrict which permits residential development at a maximum of 18 DU/ acre or mixed use commercial/residential development at 25 DU/acre. No zoning change is proposed for this parcel.

Lot B consists of 2 parcels with 2 different zonings:

- 605 N. Dixie Hwy is zoned Central RAC/Transitional Mixed Use which permits densities up to 18 dwelling units per acre subject to City Commission approval.
- 608 NW 1st Avenue is Central RAC/RAC Neighborhood subdistrict which permits densities up to 14 DU/acre or 18 DU/acre with City Commission approval.

The applicant's proposal generates a density of 24 DU/acre, therefore, rezoning is necessary to accommodate the number of units proposed on Lot B.

Lot C is West RAC/Foster Road subdistrict which permits 25 DU/acre for mixed use project, therefore, it is consistent with the proposal for Lot C and no zoning change is requested or necessary for the proposed Project.

3. The applicant requests the City to apply the PDO Overlay District to the Project. Section 32-174(g) (5) provides procedures and requirements for rezoning to PDO. The uses permitted in PDO are those uses enumerated by the underlying district.
4. PDO Overlay District allows the developer to negotiate development standards with the City via a development agreement and approved site plan. PDO provides the flexibility to determine the appropriateness of a code modification based on the suitability to the specific

site rather than the variance process. The City Commission may waive any site development standards such as, specified setbacks, density, floor area, building heights, landscaping or parking requirements in lieu of a variance within areas zoned PDO.

5. The applicant has requested site development modifications under Application # DB-19-3486, Major Development Review Approval, from the following requirements as discussed below:

REGULATION	REQUIRED/ALLOWED	PROPOSED	DEFICIENCY
A. Corner side setback (Lot C)	10 feet min.	3'-1"to 4'-7"	2'-11" to 5'-5"
B. Mixed Use required for Density of 25 DU/Acre in Foster Road zoning	18 DU/acre allowed without mixed use (Lots A and B)	25 DU/acre without mixed use (Lots A and B)	No mixed use (Lots A and B)
C. Visitor Parking Off-site (Lot B)	On-site visitor parking	Off-site visitor parking	Not allowed
D. Min. Landscaped area (Lot C)	15%	6%	9%
E. Min. Number On-site Trees	109 on-site trees	75 on-site trees	22 on-site trees
F. Min. Number Street Trees	79 Street trees	67 Street trees	12 Sreet trees

6. *Density.* Table 32-160(e) allows a density of 25 dwelling units per acre for residential mixed-use projects in the West RAC/Foster Road Subdistrict. The building on Lot C is a mixed use as it includes 26,530 square feet of commercial in the building, thus a density of 25 DU/Acre is permitted for this building.

The buildings on Lots A and B have residential units without a commercial use included in the buildings, therefore, per Table 32-160(e), 18 DU/acre is the maximum density allowed. Since Lot A and B do not include a commercial component for it to qualify as mixed use buildings, the applicant has requested PDO waivers to allow 25 DU/Acre for the buildings on Lots A and B.

7. *Building setbacks.* The buildings on Lots A and B meet all the setback requirements specified by Table 32-160(e). The building on Lot C, however, meets the front and rear yard setbacks specified by the Table but does not meet the 10 feet corner side setback required. The building would be setback 3'-11" from NW 1st Avenue after the required 5 feet right of way vacation and be setback 4'-7' after the required 4 feet right-of-way dedication along North Dixie Highway. Therefore, a PDO waiver is requested by the applicant.
8. *Number of off-street parking.* According to Table 32-203 (a) in Section 32- 203 relative to the minimum parking requirements in the RAC, 1.75 parking space shall be provided for every two-bedroom unit. Guest parking is also required: 0.5 space/unit for the first 20 units; 0.3 space/unit for units 21 thru 50, and 0.2 space/unit for unit 51 or more. In addition, one parking space is required for every 300 square feet of office, restaurant, retail and other commercial uses.

Based on the above, 286 parking spaces are required for the proposed commercial and residential uses and 307 spaces are provided for the proposed uses, thus the project exceeds the minimum number of parking spaces required by Code. An additional 55 parking spaces are also provided as required by the Redevelopment Agreement (RA) between the applicant and the Community Redevelopment Agency (CRA). Fifty(50) of the CRA required parking spaces are provided on the 4th level of the parking garage and 5 spaces on the third floor on Lot C as specified in the CRA Agreement.

An additional 40 on-street parking spaces are proposed along the rights of-way adjacent to the Project including parking spaces on proposed to be vacated NW 6th Street.

Although the Project meets the total number of parking spaces required, the required visitor parking spaces for Building A are provided on Lot C. Section 32-452(a) requires that all parking spaces for all residential uses be located on the same parcel of property that it is intended to serve. Since the visitor parking for Building A is proposed across the street, at Building C, a PDO waiver is required to provide guest parking on a different parcel. A PDO waiver has been requested.

9. *Landscaped area.* Per Section 32-160, the minimum landscaped area required per site is 15% per site. According to the applicant's plans, 33% of Lot A, 17% of Lot B, and 6% of Lot C will be landscaped. The applicant has requested a PDO waiver to allow a reduced landscaped area for Lot C.
10. *Required Trees.* Section 32-384 (c) (3) requires one tree for every 1,500 square feet of lot area. Section 32-384 (c) (5) requires a minimum of 5 species shall be provided when 51 or more trees. Section 32-385 (d) (2) requires a minimum of 10 feet in height trees for residential uses and 15 feet in height for mixed-uses; at least 50% of all trees which shall be native, drought tolerant. In addition, street trees are also required to be planted a distance of 25 feet separation when feasible.

According to the above criteria, 109 trees are required for the Project. The applicant proposes to install 75 credited trees, a deficiency of 22 trees. The proposed trees range from 15 feet to 20 feet in height of which more than 50% are native, drought tolerant; also, more than 5 tree species are provided as required by Code. An additional 79 street trees are also required and 67 street trees are proposed, a deficiency of 12 trees. The applicant has also requested a reduction on the number of street trees required.

According to the landscaped plans, the Project will be landscaped with mature trees, such as, Royal Palms, Live Oaks, Gumbo Limbos, Dahoon Holly, and Cabbage Palms. Live Oaks and Date Palms are proposed along Foster Road, consistent with the Foster Road Streetscape Plan.

11. *Building Height.* Table 32-160 (e) permits a maximum building height of 3 stories or 40 feet in height for properties in the Foster Road Subdistrict. Buildings A and B are 2 story in height. Building C is 3 stories in height and the parking garage is 3 story with roof parking, thus the proposal does not exceed the permitted height.

Rezoning/ Code Text Amendment from Central RAC to West RAC District Review Criteria

According to Section 32-205 (2) of the Zoning and Land Development Code, the boundaries of the Central RAC zoning district and the boundaries of the subdistricts may be expanded or contracted by the City Commission by amending the regulating plan in section 32-192. Changes to the boundaries are made as an amendment to the zoning and land development code instead of the rezoning process. An analysis of the application follows utilizing the rezoning/plan amendment criteria of Section 32-963 for purposes of considering the consistency of the proposed RAC regulating plan amendment with Comprehensive Plan policies and intent of the RAC:

1. The relationship of the proposed amendment to the purposes and objectives of the City's Comprehensive Land Use Plan, when adopted, with appropriate consideration as to whether

or not the proposed changes will further the purpose of this and other codes, regulations, and actions designed to implement said plan.

The applicant proposes to change the boundaries of the Central RAC District by changing the zoning designation of Lot B from Central RAC to West RAC District.

The property located at 605 North Dixie Highway would change from Central RAC/Transitional Subdistrict to West RAC/Foster Road Subdistrict; and the property located at 608 NW 1st Avenue would change from Central RAC/Neighborhood to West RAC/Foster Road Subdistrict.

The proposed rezoning/text amendment from Central RAC to West RAC as proposed is consistent with and furthers the Comprehensive Plan policies as detailed in the Rezoning/Code Text Amendment Criteria section of the Planning and Zoning Cover Memo on this item incorporated herein by reference.

2. The proposed change would or would not be contrary to the established land use pattern.
Consistent. The proposed change would not be contrary to established land use patterns. There are other multi-family residential and commercial developments to the north, south and west near the subject site.
3. The proposed change would or would not create an isolated district unrelated to adjacent and nearby districts.
Consistent. The proposed change would not create an isolated district. The area is surrounded by a mixed of uses, such as single and multi-family residential, commercial/industrial and community facilities. Also, Lot B to be rezoned is adjacent to properties zoned West RAC/Foster Road Subdistrict.
4. The proposed change would or would not alter the population density pattern and thereby have an adverse impact upon public facilities such as school, utilities, and streets.
Consistent. The proposed change would not have an adverse impact on public facilities or change the density pattern. The applicant completed an impact analysis for both schools and utilities that were reviewed by both City and School Board staff and found that the increase in density will not adversely impact public facilities.
5. Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
Consistent. The parcel to be rezoned (Lot B) is located to the south, adjacent to Lot C which is zoned West RAC /Foster Road subdistrict. To the west, Lot A of the project is also designated West RAC /Foster Road subdistrict in an area with a mixed of uses. The West RAC/Foster Road subdistrict was designed to allow higher densities up to 25 dwelling units per acre. The proposed development density of Lot B at approximately 24 dwelling units per acre is the same as the density permitted for the project's other 2 parcels located along Foster Road. The proposed rezoning is not illogical in relation to existing zoning and conditions in the area and the project's geographical location. It is logical to have a uniform zoning category for the subject lot as the parcels fronting Foster Road.
6. Changed or changing conditions make the passage of the proposed amendment necessary.
Consistent. The existing zoning designation of the parcel has not provided for redevelopment of available land in the area. Specifically, these changes will create a new land use pattern and new housing opportunities consistent with the zoning of the

area. Also, there is a need for change to encourage redevelopment and larger scale development in the area near to where transit services are provided.

7. Substantial reasons exist why the property cannot be used in accordance with the adopted land use plan and/or the existing zoning.

Consistent. The existing zoning of Lot B would restrict the property from being developed in a manner that would create new low-rise housing opportunities for the area.

8. Whether or not the change is out of scale with the needs of the neighborhood.

Consistent. The proposed change is not out of scale with the needs of the neighborhood. Rather, the proposal will have a positive effect on the property and encourage urban infill residential and mixed commercial/residential redevelopment compatible with the neighborhood.

Planned Development Overlay District (PDO) Review Criteria

Article III Section 32-186 of the Zoning and Land Development Code states applications for rezoning to PDO shall be reviewed with consideration given to the following criteria:

1. That the proposed project would further the development or redevelopment of an area of the City consistent with City land use and development goals, policies and development/redevelopment efforts.

Consistent. The subject property is located within the City's CRA and the proposed project will help revitalize the area. Assignment of PDO Overlay District to the property is consistent with the City's adopted goals and redevelopment efforts.

2. That the proposed development would be of an equal or higher quality with regard to appearance, site design, compatibility with the adjacent area, landscaping, and provision of amenities that would result under the existing development standards.

Consistent. The proposed development would be of a higher quality than required by the underlying existing zoning. Quality, appearance, or provision for amenities of the development are not regulated by the underlying zoning district. PDO extends the City's discretion in assuring a higher quality development and compatibility with the surrounding area through the negotiated process and development is governed by a Development Agreement between the City and the developer. The applicant's proposal provides for distinctive architectural features consistent with established Design Guidelines for PDO. In addition to providing new housing opportunities for the area, the Project includes extended sidewalks, upgraded landscaping, shade trees and on-street parking and a commercial component which will provide a variety of convenience uses to the area and encourage pedestrian traffic. A play area, bike storage and vehicle charging stations, are also proposed throughout the development.

3. That PDO would allow a more innovative design than would be possible under the development standards of the existing zoning district and development regulations.

Consistent. PDO zoning will allow more flexibility in the development's design by allowing for amenities that will enhance the development, such as, wider sidewalks, a tot-lot play area and doggie park. Strict adherence to the underlying Zoning Code regulations without the flexibility provided for in PDO's would not have permitted such amenities.

4. That the proposed development would promote the public interest, including, if appropriate, the provision of open space and amenities available for public use.
Consistent. The proposed development provides for a mix of uses , residential, retail, office space, sitting areas and other amenities, commercial uses that will promote the public interest and enhance area residents' and the City's needs.
5. That mixed commercial and residential development proposals would be well planned, in an integrated design that would encourage use of mass transportation, pedestrian and bicycling modes of transportation.
Consistent. The proposed development has been designed to provide residents' with easy accessibility to open space and recreational areas within the development. Additionally, public sidewalks 6 to 10 feet in width, (wider than the minimum of 5 feet) are planned outside the development to facilitate pedestrian, bicycling, and access to mass transportation systems to nearby major roadways. In addition, a total of 30 bicycle storage spaces and 8 electric vehicle charging stations are proposed for the project.
6. That it would be more appropriate for a proposed project to be developed under PDO development standards and procedures than the existing zoning district development standards, and development review and variance procedures, when the criteria mentioned in this subsection are considered.
Consistent. It is more appropriate to evaluate the proposed Project as an overall development plan under PDO than adhering to the specific Code criteria of the underlying zoning district. PDO zoning provides the flexibility to determine the appropriateness of a code modification based on the suitability to the specific site than the variances process. Adherence to the strict review criteria for variance of Section 32-965 is not applicable with PDO zoning. Such modifications can be determined to have no significant impact on the actual development and neighboring properties or that it may actually enhance the proposal through the negotiated process.

Right-of-Way Vacation Application

Pursuant to Chapter 25, Section 25-103 of the City's Code of Ordinances, City Commission approval is required of requests to vacate a public right- of -way. According to Section 25-103 of the Hallandale Beach Code of Ordinance, Streets, Sidewalks and Public Ways, the City Commission shall determine whether a requested vacation would be in the interest of the public good. According to the subsection, the following criteria shall be considered in determining whether to grant or deny a vacation of right-of-way:

- 1) Whether the public benefits from the use of the subject street, right-of-way, or easement as part of the city street system;
- 2) Whether the proposed action is consistent with the city's comprehensive plan;
- 3) The availability of alternative action to alleviate the identified problems, if any, related to the vacation;
- 4) The effect of the proposed action upon traffic circulation;
- 5) The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
- 6) The effect of the proposed action upon the provision of municipal services, including, but not limited to, emergency services and waste removal;
- 7) The mitigation plan proposed by the applicant to offset any potential impacts; and
- 8) The testimony, if any, of property owners within a 1,000-foot radius of the right-of-way that is the subject of the application.

The applicant requests a right-of-way vacation of that portion of NW 6th Street adjacent to the development parcels Lot B and Lot C. Vacation of the right –of- way will increase the net acreage of the parcels from 1.72 acre to 1.96 acre, which would allow a total of 93 dwelling units for the project. Eighty-nine (89) units are proposed.

The area to be vacated is a 40 feet right-of-way containing 10,637 square feet or 0.24 acre. The applicant is the developer on both sides of NW 1st Street between Lots B and C. The subject roadway would be rebuilt as a 2-way through street with 19 on-street parking spaces and landscaping for public use.

Florida Power & Light, AT&T, TECO People's Gas, Comcast had no objections to the request the City's Department of Public Works (DPW) has a 20 inch water line in the right-of-way and had no objections to the vacation subject to the developer being responsible for the relocation of any facilities and providing a 40 feet utility easement for the entire area to be vacated. In addition, Staff has requested and the applicant has agreed to provide a 24 feet public road easement through the vacated area to provide for perpetual access as a through street. The applicant has agreed to provide the perpetual 40 feet utility easement and the road access easement through the subject area to NW 1st Avenue as requested by Staff.

Major Development Review

Section 32-787 specifies the following criteria shall be utilized in the review and evaluation of applications for Major Development Review approval:

1) Natural Environment

Lots A and C are vacant. Lot B1 at 605 N. Dixie Hwy is the former site of Signature Paint and Body shop and Lot B2 is a vacant lot. There are no rare, historical or valuable trees on any of the 3 development sites.

2) Open Space

A tot-lot play area and doggie park with seating area are proposed on Lot A to serve the residents of the Project. 33% of Lot A, 17% of Lot B, and 6% of Lot C will be landscaped. The minimum landscaped area required per site is 15% per site. The applicant has requested PDO amendment to allow a reduced landscaped area for Lot C.

3) Circulation and Parking

Two hundred eighty-six (286) parking spaces are required for the proposed commercial and residential uses and 307 spaces are provided for the proposed uses, thus the project exceeds the minimum number of parking spaces required by Code. An additional 55 parking spaces are also provided for City use as required by the CRA Redevelopment Agreement (RA) for a total of 341 spaces for the Project. On-street parking spaces are also proposed along the rights of-way adjacent to the Project and are not counted towards required parking spaces.

4) Access Controls

Access to Lot A is provided via two-way driveways from NW 1st Avenue and NW 2nd Avenue. Access to Lot B is provided from NW 6th Street. Access to Lot C is provided from NW 1st Avenue. A surface parking area and the parking garage is accessible from NW 1st Avenue. A secondary access to the parking garage is provided from NW 6th Street. The Fire department had no objections to the proposal. Public Works Sanitation department also had no objections to the

project as the dumpsters for the 3 sites for the development would be in open parking areas accessible to sanitation vehicles.

5) Public Transportation

Broward County Transit (BCT) serves Dixie Highway and Foster Road. The City's Mini bus also provides service along Foster Road. There is an existing bus stop 70 feet to the south on North Dixie Highway across Foster Road.

6) Community Services

Dumpsters are proposed in a masonry enclosure on each parcel, accessible to sanitation vehicles. The enclosure will have trash and recyclable dumpsters. The City Sanitation operation will service the development.

Fire hydrants to serve the development are proposed and designated fire lanes will be required as needed. Prior to the issuance of the building permit, the developer must provide a hydraulic analysis of the water system, including a fire flow test, to determine if system is adequate to provide required fire and domestic use demand. Any improvements required will be the applicant's responsibility to construct and pay for.

The applicant proposes to construct new concrete sidewalks along all streets adjacent to the Project as required by Code. The sidewalks will be 6 to 10 feet in width which exceed the Code specified width of 5 feet.

7) Drainage

Paved areas are proposed to have underground catch basins for stormwater runoff. Storm water must be retained on site. Drainage calculations for both sites will be required at time of permit. The applicant will be required to comply with all DPEP regulations and City criteria to retain 5-year 1-hour storm water onsite. Drainage in the streets will be required where on-street parking will be constructed.

8) Concurrency Evaluation

According to Article V Section 32-782, determination of concurrency must occur prior to the approval of a building permit.

Staff has conducted a concurrency evaluation of the project relative to its impact on water, sewer, solid waste, drainage, recreation, schools and transportation. Staff has determined that concurrency requirements have been met.

The developer has submitted an Impact Evaluation Report as required by Section 32-788 that addresses each issue. The following is a summary of the expected impacts to the various public utilities for reference.

Potable Water - According to the criteria in the Impact Evaluation Report, the development will generate the need for approximately 30,085 gallons of potable water per day (GPD). The City's current demand is about 6.07 MGD. The water demand the City is able to meet is approximately 8.29 MGD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$120,280 in water impact fees as required by Section 30-247 through Section 30-260 of the Code of Ordinances.

Wastewater – The City has a Large User Agreement with City of Hollywood and several other communities for wastewater treatment. According to the applicant, the wastewater demand for the project is 30,085 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$145,925 in sewer impact fees.

Water and wastewater impact fees are estimates and are payable per Section 30-253 when the building permit is issued or when a request for capacity is made.

Transportation System- A Traffic Study providing an analysis of the impact of the development as it relates to current and projected roadway usage and design capacities was conducted as required by the City's Comprehensive Plan Transportation Element for projects generating 100 daily trips or more. The anticipated trip generation for this development is 1,176 daily trips per weekdays. The development will generate 64 AM Peak Hour Trips and 108 PM Peak Hour Trips. The local streets near the site are currently operating at a LOS "A" or "B" which is acceptable. Pembroke Road is operating at LOS "D" which is also acceptable. The only roadway link operating poorly is Federal Highway. The City's Traffic Consultant for this project, Michael Miller Planning Associates (MMPA), reviewed the Traffic Study and determined the projected traffic development is not anticipated to significantly impact the surrounding roadways or worsen the LOS.

Pursuant to the City's Comprehensive Plan, Transportation Element, Policy 1.5.4, any local streets are required to be a minimum of 50 feet right-of-way or as may be established by the City's Comprehensive Plan. In addition, the Broward County Trafficways Plan establishes Dixie Highway as a 54-foot collector. The following right-of-way dedications are required to meet these requirements: Lot A: 10 feet along Foster Road, 5 feet along NW 1st Avenue, and 5 feet along NW 2nd Avenue. Lot B: 5 feet along NW 1st Avenue, and 4 feet along Dixie Highway. Lot C: 10 feet along Foster Road; 5 feet along NW 1st Avenue, and 4 feet along Dixie Highway.

The applicant has provided for the required street dedications discussed above on the proposed site plans.

The applicant will be required to mitigate for traffic and transportation impacts as set forth by Section 32-794, "Traffic and Transportation Facilities". The City's transportation mitigation fee for this project is \$172,528.

Schools- Based on the student generation rate adopted by the Broward County School Board this project will generate 12 elementary school students, 5 middle school students and 4 high school students for a total of 21 students. Adequate school capacity is available to support the project.

Recreation and Open Space- The 2018 Evaluation Appraisal Report amendment to the Comprehensive Plan increased the City's Level of Service standard to 3.25 acres per 1,000 population. Based on the City's 2017 population and with the new recreation and open space level of service, presently, there is a surplus of 5.73 acres. The proposed project will generate a demand of .60 acres. There is sufficient recreation and open space acreage to support this project.

The City is in the process of adopting a Recreation impact fee. It is anticipated the fee will be adopted before the end of this year. The fiscal impact of the project utilizing .60 acres of open space will be mitigated in the Development Agreement. The recreation impact fee for this project will be approximately \$86,775.

9) Energy Conservation/Green Building

Section 32-787 (k), the City's Green Building Program, requires new development with more than 50 residential units, commercial buildings greater than 50, 000 square feet in floor area, or any project requesting financial assistance from the community redevelopment agency (CRA) to obtain a green building certification from a recognized environmental rating agency accepted by the City. The Project is more than 50 units, therefore, Green Building certification is required. The applicant intends on seeking LEED certification for the project.

10) PDO Design Guidelines

Properties zoned PDO are also subject to the adopted Design Guidelines for the PDO Overlay district. The proposed development has been found to be generally consistent with the established design guidelines for properties zoned PDO.

Development Agreement

As required for PDD properties, a Development Agreement is proposed to govern the development of the Project. Please refer to the related Agenda Cover Memo regarding the Development Agreement for terms and conditions of the Agreement.

Staff Recommendations

Right-of-Way Vacation

The applicant requests a right-of-way vacation of that portion of NW 6th Street adjacent to the development parcels Lots B and C. Vacation of the right-of-way will increase the net acreage of the parcels from 1.72 acre to 1.96 acre, thus allowing for 4 additional units based on a density of 25 DU/acre. The road vacation would allow for a total of 93 dwelling units for the project and 89 units are proposed.

Staff requested and the applicant has agreed to provide a perpetual 40 feet utility easement and a 24-foot road access easement through the subject area to NW 1st Avenue as requested by staff.

In staff's opinion, the right-of-way vacation would still provide for accessibility for pedestrian and vehicular traffic, emergency and waste services, would not have any potential adverse impacts, and is consistent with the criteria for road vacation.

Rezoning from Central RAC to West RAC

The property located at 605 North Dixie Highway would change from Central RAC/Transitional Subdistrict to West RAC/Foster Road Subdistrict; the property located at 608 NW 1st Avenue would change from Central RAC/Neighborhood to West RAC/Foster Road Subdistrict.

The proposed rezonings would allow for a uniform zoning category for Lot B as the parcels fronting Foster Road (Lots A and C) at the density allowed by the Foster Road Subdistrict.

Rezoning to PDO

The objective of PDO is to enhance properties and surrounding areas while allowing flexibility in development. Adoption of PDO District was predicated on the City's desire to promote development at properties which are underutilized, in need of revitalization, or prime for redevelopment. PDO is appropriate for the Project because of its complexity, scale and uniqueness to the area. Staff does not object to the requested waivers as most are generally appropriate and unique to the project. Applying PDO to the property will provide for greater flexibility and allow development of properties that are prime for redevelopment.

Major Development Plan

As outlined in this memo, Staff has conducted a comprehensive analysis of the Project and has determined the applicant's proposal meets the general requirements for Major Development Plan approval relative to concurrency. Also, as discussed under Transportation Systems, the developer will be required to dedicate and construct right-of-way improvements.

Should the City Commission decide to approve the application, approval should be subject to the following conditions:

1. Payment of the City's water impact fee in the amount of \$120,280.
2. Payment of the City's sewer impact fee in the amount of \$145,925.
3. Payment of the City's transportation mitigation cost in the amount of \$172,528.
4. The maximum number of units in the development shall not exceed 89 units.
5. Assignment by the City Commission of 89 Regional Activity Center (RAC) Units.
6. The project shall be designed and constructed to comply with Section 32-787(k) and obtain a Green Building certification from LEED or as specified by the CRA Agreement.
7. The applicant shall bond for and construct any required street and right-of-way improvements including but not limited to sidewalks, pavement, construction, striping, signage, landscaping, and drainage improvements.
8. Provide a perpetual 40 feet utility easement and a 24-foot road access easement through that portion of NW 6th Street to be vacated in a form acceptable to the City Attorney.
9. Right-of-way dedications adjacent to Lot A of 10 feet along Foster Road; 5 feet along NW 1st Avenue; and 5 feet along NW 2nd Avenue.
10. Right-of-way dedications adjacent to Lot B of 5 feet along NW 1st Avenue and 4 feet along Dixie Highway.
11. Right-of-way dedications adjacent to Lot C of 10 feet along Foster Road; 5 feet along NW 1st Avenue; and 4 feet along Dixie Highway.
12. The dumpster enclosures for the development shall be of masonry construction and landscaped in a manner to obscure same and enhance the development to the satisfaction of the City.
13. No required tree shall be less than 15 feet in overall height.
14. Eight (8) electric vehicle charging stations shall be provided as reflected in the plans.
15. Increase the number of bicycle storage spaces to 15 spaces on Lots A and B. Increase the spaces on Lot C to a total of 30 bike storage space.
16. Install necessary signage indicating the 55 parking spaces reserved for public use on Lot C and public access at the entryway into the garage.
17. The 14 workforce housing units shall be dispersed throughout the project, three buildings, and each floor and shall have comparable fixtures and finishes as the market rate units.
18. The five guests parking spaces dedicated to Lot A on Lot C shall be assigned accordingly.
19. All balconies shall be 4 feet in depth.
20. Provide a 6 feet masonry wall along the north property lines of Lot A and Lot B.
21. Provide adequate clearance for the entryway into the project for loading and waste management services.
22. Provide a crosswalk between Lot A and Lot C where the public sidewalk meets.
23. Provide a community room for the use of residents of the project.
24. Minimize the number of bedrooms facing the corridor.
25. Execution of Developer's Agreement pursuant to Section 32-186(d)(2) stipulating agreed conditions of the negotiated process satisfactory to the City.

Why Action is Necessary

Pursuant to Section 32-963 of the Hallandale Beach code of Ordinances, City Commission approval is required for a text map amendment/rezoning to change the zoning designation of 605 North Dixie Highway from Central RAC/Transitional Mixed Use to West RAC/Foster Road Sub district, and the zoning designation of 608 NW 1st avenue from Central RAC/Neighborhood to West RAC/Foster Road Subdistrict. City Commission approval is also required in order to allow the project to utilize the Planned Development Overlay (PDO) District for the entire project.

Pursuant to Section 32-783 of the Hallandale Beach Code of Ordinances, City Commission approval is required of Major Development applications for 10 or more dwelling units or 4,000 square feet of nonresidential gross floor area. The applicant is proposing 89 residential dwelling units and a 26,530 square feet of nonresidential space thus action by the City Commission is required.

Per Chapter 25 of the Hallandale Beach Code of Ordinances, right-of-way vacation applications also require City Commission approval.

Cost Benefit:

The project's anticipated market value at build-out is \$ 21.5 Million. It is expected the proposed development will generate approximately \$154,665 in ad-valorem real estate taxes in the next year after completed. Approximately \$138,686 of the ad-valorem revenue would go to the City's CRA. The estimated building permit fee is approximately \$370,000 based on the applicant's estimated construction cost of \$17 Million.

Proposed Action:

Staff recommends the City Commission approve the following Ordinances and Resolution for the Hallandale City Center Project:

Second Reading of the attached Ordinances for:

Application #PA-19-815, Rezoning/Text Map Code Amendment

1. Rezoning the property located at 605 North Dixie Highway from Central RAC/Transitional Subdistrict to West RAC/Foster Road Subdistrict, and;
2. Rezoning the property located at 608 NW 1st Avenue from Central RAC/Neighborhood to West RAC/Foster Road Subdistrict.

Application #PDO-19-816 applying PDO

3. Applying Planned Development Overlay District to the 3 parcels of the project.

Application #RV-19-845, Right-of-Way Vacation

4. Vacation of a portion of NW 6th Street between North Dixie Highway and NW 1st Avenue.

The Resolution for:

Application #DB-18-3486, Major Development Plan

5. The Major Development Plan for the Hallandale City Center Project subject to the terms of the Development Agreement to govern the project as may be approved by the City Commission, and all conditions set forth in this Cover Memo.

Attachment(s):

- Exhibit 1 - Ordinance Rezoning the Property located at 605 North Dixie Highway
- Exhibit 2 - Ordinance Rezoning the Property located at 608 NW 1st Avenue
- Exhibit 3 - Ordinance Applying the Planned Development Overlay (PDO) District
- Exhibit 4 – Ordinance Vacating portion of NW 6th Street Between NW 1st Avenue and N. Dixie Hwy
- Exhibit 5 - Resolution Approving the Major Development Plan for the Project
- Exhibit 6 - Location Map
- Exhibit 7 - Aerial Map
- Exhibit 8 - Building Rendering, Development Plans, and Applicant's Letters and Backup
- Exhibit 9 - Planning and Zoning Board Cover Memo dated October 23, 2019
- Exhibit 10 - Planning and Zoning Board Minutes of October 23, 2019
- Exhibit 11 - City Traffic Consultant Report
- Exhibit 12 - Applicant's Traffic Report